

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANA NESSEL, Attorney General of the State
of Michigan, on behalf of the People of the
State of Michigan,

Plaintiff,

No. 1:21-cv-01057

HON. JANET T. NEFF

v

ENBRIDGE ENERGY, LIMITED
PARTNERSHIP, ENBRIDGE ENERGY
COMPANY, INC., and ENBRIDGE ENERGY
PARTNERS, L.P.,

Defendants.

MOTION FOR RELIEF FROM ORDER TO STRIKE

Robert P. Reichel (P31878)
Daniel P. Bock (P71246)
Assistant Attorneys General
Attorneys for Plaintiff
Environment, Natural Resources, and
Agriculture Division
P.O. Box 30755
Lansing, MI 48909
(517) 335-7664
ReichelB@michigan.gov
BockD@michigan.gov

Dated: February 4, 2022

On January 14, 2022, Plaintiff Dana Nessel, Attorney General of the State of Michigan, filed a Motion to Remand this matter to the State of Michigan 30th Circuit Court for the County of Ingham, along with a Brief in Support. (ECF Nos. 10 and 11.) As noted there, such motions, when based on procedural defects in the removal, must be “made” within 30 days of the filing of the notice of removal. 28 U.S.C. § 1447(c).

Pursuant to Fed. R. Civ. P 60(b)(6) and for the reasons stated in the Brief in Support of this Motion, Plaintiff respectfully requests that this Court modify its January 18, 2022 Order to Strike (ECF No. 12) to provide that Plaintiff’s Motion to Remand and Supporting Brief (ECF Nos. 10 and 11) were filed on January 14, 2022 or were otherwise timely made as required by 28 U.S.C. § 1447(c).

Respectfully submitted,

/s/ Robert P. Reichel

Robert P. Reichel (P31878)
Daniel P. Bock (P71246)
Assistant Attorneys General
Attorneys for Plaintiff
Environment, Natural Resources,
and Agriculture Division
P.O. Box 30755
Lansing, MI 48909
(517) 335-7664
ReichelB@michigan.gov
BockD@michigan.gov

Dated: February 4, 2022

LF: Enbridge Straits (AG v)/AG #2019-0253664-C-L/Motion for Relief from Order 2022-02-04